

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services-Revenue Department- Disciplinary action initiated against Sri Syed Anwaruddin, Deputy Collector (Retd.)- Punishment imposed- Challenged before the APAT- Orders of APAT implemented-Further action dropped-Orders –Issued.

REVENUE (VIGILANCE-III) DEPARTMENT

G.O.Rt.No. 1800

Dated: 31-12-2012

Read the following:

1. From CCLA, Lr.No.D4/2476/2000, dt. 27.10.2000
2. G.O.Rt.No.697, Rev (Vig.III) Dept, dt. 10.5.2004
3. From APAT interim order dt. 29.12.2004 in OA No.6957/2004
Filed by Sri Anwaruddin, Dy. Collector (Retd)
4. From APAT orders dt. 12.8.2005 in OA No. 6957/2004 with C.A.No. 281/2005 filed by Sri Anwaruddin, Dy. Collector (retd)
5. G.O.Rt.No.2029, Rev (Vig.III) Dept, dt. 14.09.2006
6. From APAT orders dt.17-11-2008 OA No. 1269/2007 filed by Sri Anwaruddin, Dy. Collector (Retd)
7. Govt. Memo No. 877/Vig.III(2)/2005, dt. 1.6.2009
8. From GP for Ser.II, High Court of AP, W.P. No.12764/2009/SPP/Ser.II/HC, Dated: 1.7.2009
9. From the Hon'ble High Court, order dt. 29.6.2012 in WP No.12764/2009

ORDER:

Based on the report furnished by the Chief Commissioner of Land Administration, vide reference 1st read above, disciplinary action was initiated against Sri Syed Anwaruddin formerly Mandal Revenue Officer, Jaharasangam (M), Medak district and Deputy Collector (Retd) for issuing wrong ownership certificate to one Sri U.Mallaiah. After following due procedure, Government imposed penalty of 50% cut in pension on Sri Syed Anwaruddin, Deputy Collector(Retd.) permanently vide reference 2nd read above.

2. Aggrieved by the said orders Sri Syed Anwaruddin, Deputy Collector (Retd) filed O.A.No.6957/2005 in A.P. Administrative Tribunal, Hyderabad. Government filed counter affidavit. The A.P. Administrative Tribunal in its interim orders vide reference 3rd read above suspended the Government orders in the reference 2nd read above and directed the respondents to process the pension papers of the applicant i.e., Sri Syed Anwaruddin, Deputy Collector (Retd.). Finally, the A.P. Administrative Tribunal in its orders vide reference 4th read above has set aside the orders issued vide reference 2nd read above by observing that the impugned orders are not sustainable in the eye of law.

3. Government after careful examination of the matter have decided to continue the enquiry from the stage of vitiation and accordingly Joint Collector, Medak was appointed as Enquiry Officer to conduct enquiry into the charges framed against Sri Syed Anwaruddin, Deputy Collector(Retd.) vide reference 5th read above. Aggrieved by the said orders Sri Syed Anwaruddin, Deputy Collector(Retd.) filed OA No.1269/2007 in the A.P. Administrative Tribunal. The Hon'ble Tribunal in its orders dt.17-11-2008 in the said OA set aside the orders issued vide reference 5th read above and directed the respondents to release the pensionary benefits to the applicant.

4. After careful examination of the matter Government have filed W.P.No.12764/2009 in the Hon'ble High Court against the orders of APAT dt.17-11-2008 in OA NO.1269/2007. The Hon'ble High Court granted interim suspension of the said orders of A.P. Administrative Tribunal. The Hon'ble High Court in its orders dt.29-6-2012 observed that the impugned order of the Tribunal does not warrant any interference nor does it suffer from any grave error apparent on the fact on the record and finally dismissed the Writ Petition.

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5. Government after careful examination of the matter, have decided to implement the orders of A.P. Administrative Tribunal dt.17-11-2008 in OA No.1269/2007 filed by Sri Syed Anwaruddin, Deputy Collector(Retd.) and consequently decided to cancel the orders issued vide reference 2nd read above and also orders issued vide reference 5th read above. The Govt have further decided to drop further action against Sri Syed Anwaruddin, Deputy Collector(Retd.) and to release pensionary benefits to him.

6. Accordingly, Government hereby cancel the orders issued imposing punishment of 50% cut in pension permanently on Sri Syed Anwaruddin, Deputy Collector(Retd.) vide reference 2nd read above and also the orders issued appointing the Joint Collector, Medak as Enquiry officer vide reference 5th read above. Also further action against Sri Seyd Anwaruddin, Deputy Collector(Retd.) is hereby dropped and pensionary benefits due to him as per rules shall have to be released.

7. The Chief Commissioner of Land Administration, Hyderabad shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL CHANDRA PUNETHA
PRINCIPAL SECRETARY TO GOVERNMENT

To,
Sri Syed Anwaruddin, Deputy Collector(Retd.)
(Through CCLA, AP, Hyderabad)
The Chief Commissioner of Land Administration, Hyderabad.
Copy to:
The Collector, Medak.
SC/SF

//FORWARDED BY ORDER//

SECTION OFFICER